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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 MARK A. GRANT,

12 Plaintiff,

13 v.

14 LUIS MARTINEZ, *et al.*,

15 Defendants.
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Case No. 2:20-cv-01963-JDP

ORDER TO SHOW CAUSE WHY THIS
CASE SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE

RESPONSE DUE WITHIN 30 DAYS

ORDER VACATING THE MARCH 13, 2021
MOTION HEARING

17 On April 8, 2021, defendants filed a motion to dismiss and noticed the motion for hearing.
18 ECF No. 26. Plaintiff has not responded and the deadline to do so has now passed. Accordingly,
19 the court will order plaintiff to show cause why this case should not be dismissed for failure to
20 prosecute. The court will also grant plaintiff another opportunity to respond to the pending
21 motion and vacate the hearing.

22 To manage its docket effectively, the court imposes deadlines on litigants and requires
23 litigants to meet those deadlines. The court may dismiss a case for plaintiff's failure to prosecute
24 or failure to comply with a court order. *See* Fed. R. Civ. P. 41(b); *Hells Canyon Pres. Council v.*
25 *U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005). Involuntary dismissal is a harsh penalty, but
26 a district court has a duty to administer justice expeditiously and avoid needless burden for the
27 parties. *See Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1. The
28 court will give plaintiff a chance to explain why the court should not dismiss the case for

1 plaintiff's failure to prosecute. Plaintiff's failure to respond to this order will constitute a failure
2 to comply with a court order and will result in dismissal of this case.

3 Accordingly, it is hereby ordered that:

4 1. Plaintiff is ordered to show cause within 30 days why this case should not be
5 dismissed for failure to prosecute.

6 2. Plaintiff is ordered to file a response to defendants' motion to dismiss, ECF No.
7 26, within 30 days of the date of entry of this order.

8 3. The motion hearing set for 5/13/2021 is hereby vacated.

9 4. Defendants' motion to dismiss, ECF No. 26, will be submitted on the briefs
10 without a hearing. Defendants may file a reply within seven days of service of plaintiff's
11 response.

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13 IT IS SO ORDERED.

14 Dated: May 3, 2021



JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE